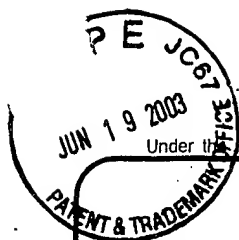


# BEST AVAILABLE COPY

PTO/SB/30 (05-03)

Approved for use through 04/30/2003. OMB 0651-0081  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.



## Request For Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/582,141
Filing Date	June 21, 2000
First Named Inventor	Jorg Hofmann
Art Unit	1755
Examiner Name	E. Wood
Attorney Docket Number	Mo5766/LeA 32,756

RECEIVED  
JUN 24 2003  
TC 1700

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

### 2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

### 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-3848

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	John E. Mrozinski, Jr.	Registration No. (Attorney/Agent)	46,179
Signature	<i>John E. Mrozinski, Jr.</i>	Date	June 19, 2003

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as express mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below. EV236885012

Name (Print/Type)	Donna J. Veatch	Date	June 19, 2003
Signature	<i>Donna J. Veatch</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2. / rmc

RECEIVED  
JUL 07 2003  
TC 1700

RECEIVED  
JUL 03 2003  
TC 1700



RECEIVED  
JUN 24 2003  
TC 1700

PATENT APPLICATION  
Mo5766  
LeA 32,756

1413  
7/14/03  
B

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN APPLICATION OF )

JORG HOFMANN ET AL )

SERIAL NO.: 09/582,141 )

FILED: JUNE 21, 2000 )

TITLE: IMPROVED DOUBLE-METAL  
CYANIDE CATALYSTS FOR  
THE PRODUCTION OF  
POLYETHER POLYOLS )

) GROUP NO: 1755

) EXAMINER: E. WOOD

RECEIVED  
JUL 07 2003  
TC 1700

RECEIVED  
2003 JUN 26 AM 10:31  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

RESPONSE AND AMENDMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Sir:

RECEIVED  
JUL 03 2003  
TC 1700

This response is filed with a Request for Continued Examination ("RCE") under 37 C.F.R. §1.114 in the above-captioned matter. Applicants contend that the instant RCE is proper because it is filed after a decision by the Board of Patent Appeals and Interferences (the "Board"), but before the filing of a Notice of Appeal to the Court of Appeals for the Federal Circuit. Applicants respectfully request that the Office withdraw the finality of the Office Action mailed November 29, 2001 (and upheld by the Board in its Decision mailed April 23, 2003) to permit entry and consideration of the instant amendment.

Express mail" mailing label number EV 236885012 US  
Date of Deposit June 19, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Alexandria, VA 22313-1450.

Donna J. Veatch

(Name of person mailing paper or fee)

(Signature of person mailing paper or fee)